

## Remarks

Rejections under 35 U.S.C. §103(a)

Claims 1-4, 19-22, 36 and 45 were rejected under 35 U.S.C. §103(a) as anticipated by Skene et al (hereinafter “Skene”) U.S. Publication 20010049741 in view of Cartmell et al. (US 2002/013649)/

Skene:

Skene describes:

“...A system and method for balancing the load on virtual servers managed by server array controllers at separate data centers that are geographically distributed on a wide area network such as the Internet. The virtual servers provide access to resources associated with a domain name request by a client program. When a Primary Domain Name System (DNS) determined the requested domain name is delegated to a EDNS, the EDNS employs metric information and statistics to resolve an ip address for a virtual server that is selected by the EDNS to optimally balance the load and provide access to resources associated with the domain name. *The EDNS may employ a static or a dynamic load balancing method to select the virtual server most suited to balance the load across all of the virtual servers...*” (Skene, Abstract)

Cartmell:

Cartmell describes, in the Abstract:

“... A method, system, and computer-readable medium is described that provides one or more types of services and/or information in response to an information request or other message that specifies a unique identifier of a defined type. The information requests can include requests for resources corresponding to specified URLs with domain names that include a unique identifier, and if so the service or information provided can be based on the defined type of the identifier and/or on an item corresponding to the unique identifier. Additional information included in header fields of HTTP messages used for such URL requests can also be used to determine services or information to be provided, either instead of or in addition to the specified domain name identifier. In addition, services and information can be provided for a requested URL that includes a domain name that has not been explicitly registered with the DNS name server computers...”

Thus Cartmell describes the inclusion of additional information in the header field of HTTP messages that may be used to determine services to perform for the client (paragraphs 106-109). Applicants note that although Cartmell does mention the use of ‘authorization

information', but note that the authorization is to determine whether the client is entitled to the service that is requested in the URL. In contrast, the claimed invention clearly recites that servers may be selected 'based on the authorization handle' provided by the client.

The Examiner states, at page 3 of the Office action:

"... it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Skene by specifying a level of service that a client is authorized to receive in order to verify the identity or authorization of servers to provide network resources to client systems thereby providing various information based on specified request that includes a unique identifier..."

As stated in M.P.E.P. §2143 :

"...To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations..."

Combination neither describes nor suggests claimed invention

Neither Skene nor Cartmell, alone or in combination, describe or suggest "... A method, associated with a domain name system server, of controlling the transfer of information via a network, said method comprising: .... receiving, from a client device, a request for a network address that is associated with a service, *the request including a service authorization handle for indicating that the client is authorized for a level of service* for the handling of the

request ... selecting, *responsive to the service authorization handle*, a respective network address from a plurality of network addresses corresponding to a plurality of *servers that are available to provide said service...*"

Although Skene describes that the 'EDNS may employ a static or dynamic load balancing level, Skene neither describes nor suggests the elements of claim 1. Skene neither describes nor suggests receiving a 'service authorization handle' or 'selecting, responsive to the service authorization handle, ... one of a plurality of servers that are available to provide said service at the authorized level of service' as recited in claim 1 and the independent claims 19, 36 and 45. The Examiner agrees with this position at page 3 of the Office action, but states that Cartmell teaches such a limitation. .

Applicants respectfully disagree. As described above, the authorization information in Cartmell is used to determine whether the client is authorized to execute services that are requested in the URL provided by the client. For at least the reason that the combination of references fails to describe or suggest 'selecting, responsive to the service authorization handle, a respective network address from a plurality of network addresses associated with a corresponding plurality of servers..." For at least this reason, it is requested that the rejection is overcome and should be withdrawn.

Dependent claims 2-4 and claims 20-22 serve to add further patentable limitations to respective independent claims 1 and 19, and thus are allowable for at least the same reasons as their parent claims.

Conclusion:

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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